Remarks:

Claims 8, 9, 10, 33, 34, and 35 have been amended to delete allelic variants. Although Applicants continue to disagree with the Examiner's position on the enablement and written description of such variants, this member of the Markush group has been deleted to speed prosecution. Claims 8-13, 21-35 are pending. Reconsideration of the claims in light of the present amendment and the remarks below is respectfully requested.

I. Rejections under 35 U.S.C. § 112, first paragraph

The present claims have been rejected as insufficiently enabled and insufficiently supported with written description. In particular, the Examiner stands by his evaluation of the phrase "allelic variants." The above discussed amendment is believed to overcome this concern.

Additionally, the Examiner goes on to assert that the present specification does not identify particular structures that would be responsible for the function now recited in the claims. This assertion is respectfully traversed. The present specification provides ample written description and enablement for other characteristics or features of the presently claimed molecules responsible for its function. First, the present specification provides in Figure 1 the areas of the molecule that are conserved between various members of the FGF family. One of ordinary skill would understand that it was these regions that would be involved in the function of these molecules. However, the specification does not stop here, but goes on to provide specific structural features of zFGF5 that are related to function. At page 15, line 33- page 16, line 3, the heparin binding site for the zFGF5 molecule is provided. A second region is disclosed at page 14, lines 14-25 and page 14, line 33- page 15, line 22. This FGF conserved region of the molecule and consensus sequence is disclosed as SEQ ID NO:36. At page 27, line 31- page 28, line 27 there is a detailed discussion of which amino acids in the molecule are related to biological function. Eight specific amino acids of zFGF5 are disclosed: Tyr58, Gly77, Asn136, Tyr138, Lys145, Trp149, Met175, and Arg177. These described sections and amino acids provide completely sufficient written description and enablement for which parts of the molecule may be involved in conserving the now claimed biological function, which in turn is supportive of the scope of the present claims. As such, the remaining concern of the Examiner has been addressed and allowance of the claims is therefore requested.

It is submitted that the present amendments overcomes each and every outstanding objection to the claims. Early reconsideration and allowance of the pending claims is respectfully requested. If the Patent Examiner believes that a telephone interview would expedite prosecution of this patent application, please call the undersigned at (206) 442-6627.

Respectfully submitted,

Michelle L Lewis

Michelle L. Lewis
Reg. No. 36,352